

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA SACRAMENTO DIVISION

Courtroom: 27

1. Plaintiff's claims brought under § 1983 are time-barred under California Codes of Civil Procedure § 335.1.
2. Plaintiff's state law tort claims are similarly time-barred under § 340.5; and California Government Code § 945.6.

1 This motion is based on this Notice of Motion, and the Memorandum of Points and
2 Authorities, filed in support thereof, the pleadings on file herein, and any oral or other evidence
3 which may be introduced at the time of the hearing on this motion.

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6 Dated: March 22, 2023

LONGYEAR & LAVRA, LLP

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8 By: /s/ Ashley Calvillo
9 VAN LONGYEAR
10 GIGI KNUDTSON
11 ASHLEY M. CALVILLO
12 Attorneys for Defendants,
13 County of Sacramento, Grant Nugent, M.D.
14 and Gary Leeds, M.D.
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PROOF OF SERVICE

CASE TITLE: *Valdivia v. County of Sacramento, et al.*
COURT: USDC Eastern District of California
CASE NO: 2:22-cv-01643-KJM-DB (PS)

I am employed in the County of Sacramento. I am over the age of eighteen years and not a party to the within above-entitled action. My business address is 555 University Avenue, Suite 280, Sacramento, CA 95825.

I am familiar with this office's practice whereby the mail is sealed, given the appropriate postage and placed in a designated mail collection area. Each day's mail is collected and deposited in a United States mailbox after the close of each day's business.

On March 22, 2023, I caused the following to be served:

AMENDED NOTICE OF MOTION AND MOTION TO DISMISS

XX United States Mail - on all parties in said action by placing a true copy of the above-described document(s) enclosed in a sealed envelope in the designated area for outgoing mail addressed as set forth below.

By ELECTRONIC MAIL - by personally sending to the addressee's Electronic Mail address a true copy of the above-described document(s).

SEE ATTACHED SERVICE LIST

XX FEDERAL: I declare that I am employed in the office of a member of the bar of this Court at whose direction service was made.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on March 22, 2023, at Sacramento, California.

/S/: D. Gonzales
D. Gonzales
Employee of Longyear & Lavra, LLP

SERVICE LIST

Plaintiff in pro se:

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